



FINANCIAL • ASSET MANAGEMENT • LEGAL STRATEGY

RECEIVED

OCT 18 2004

DEPARTMENT OF
WATER RESOURCES

October 15, 2004

VIA FIRST CLASS MAIL

Mr. Jeff Peppersack
Idaho Department of Water Resources
322 E. Front Street
P.O. Box 83720
Boise, ID 83720-0098

Re: Water Rights and/or Agreements on White Arrow Ranch and Devils Corral

Dear Jeff:

On August 8, 2003, I forwarded two affidavits pertaining to water rights and/or agreements relating to real property commonly referred to as White Arrow Ranch located in Gooding County, and Devils Corral located in Jerome County. In that regard, please find the following documents to be placed in the file on the respective properties:

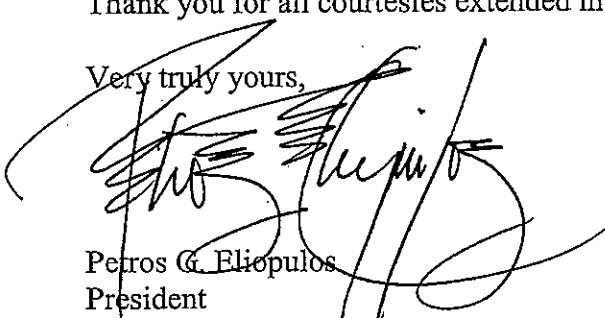
- Notice of Bankruptcy Claim Re: Water Rights on White Arrow Ranch
- Notice of Bankruptcy Claim Re: Water Rights and/or Agreements on Devils Corral

I am sending original documents which contain original certified copies of the bankruptcy schedules in case 03-1052-9P1.

If you have any questions regarding the Affidavits, I can be reached through the following numbers: my office phone number 208.345.2214; my fax number 208.345.5723.

Thank you for all courtesies extended in this matter.

Very truly yours,



Petros G. Eliopoulos
President

PGE/jae

encl.

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2
3 UNITED STATES BANKRUPTCY COURT
4 MIDDLE DISTRICT OF FLORIDA
5 FORT MYERS DIVISION
6

7 In Re:

8 ROBERT A. ERKINS and
9 BERNARDINE M. ERKINS

Case No. 03-10502-9P1
Chapter 11

10
11 NOTICE OF 11 U.S.C. §362(a) FEDERAL BANKRUPTCY COURT
12 STAY ON SCHEDULED ASSETS RE: WATER RIGHTS
13

14 NOTICE IS HEREBY GIVEN of a bankruptcy stay on the scheduled assets of Robert A.
15 Erkins and Bernardine M. Erkins, the debtors in the case herein, as it relates to a claimed interest in
16 any and all water rights, and/or water agreements related thereto, now existing and hereafter-
acquired, in the property more commonly known as **Devils Corral**, the legal description of which is
set forth hereinbelow, to wit:

17 Jerome County
18

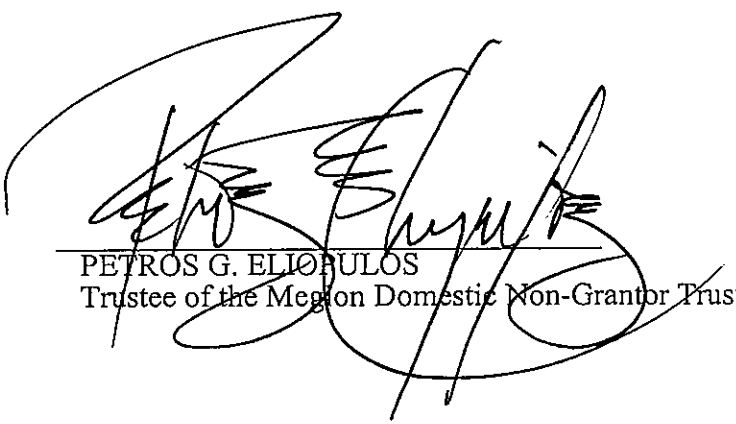
19 Lots 1, 2 and 6, and the South Half of the Northeast Quarter (S1/2 NE1/4) of Section 32,
20 Township 9 South, Range 18 East of the Boise Meridian.

21 On May 21, 2003, the above-referenced case was filed pursuant to Chapter 11 of the United
22 States Bankruptcy Code in the United States Bankruptcy Court for the Middle District of Florida.
23 The filing of the Chapter 11 bankruptcy case by Robert A. and Bernardine M. Erkins instantly
24 triggered the automatic stay of 11 U.S.C. §362(a). The §362(a) stay has been in full force and effect
since the date of filing of the bankruptcy on May 21, 2003. The bankruptcy proceedings in the
United States Bankruptcy Court for the Middle District of Florida remain pending.

25 A certified copy of the bankruptcy schedules of Robert A. Erkins and Bernardine M. Erkins
26 listing their interest in the water rights in the above-referenced real property is attached hereto as
Exhibit A and incorporated by reference herein.

1 The debtors are beneficiaries of the Meglon Domestic Non-Grantor Trust which is a creditor
2 in the Erkins' bankruptcy estate. The Trust will aggressively pursue any individual or entity for any
3 violation of the automatic stay as it relates to any attempt to sell, offer to sell, purchase, offer to
4 purchase, or otherwise negotiate the scheduled water rights and/or water agreements, which in any
5 way affects, whether it be adverse or otherwise, the Trust's claim and related standing in the debtors'
6 bankruptcy estate.

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9 DATED this 10th day of October, 2004.

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PETROS G. ELIOPOULOS
Trustee of the Meglon Domestic Non-Grantor Trust

1
2
3 UNITED STATES BANKRUPTCY COURT
4 MIDDLE DISTRICT OF FLORIDA
5 FORT MYERS DIVISION

6 In Re:

7 ROBERT A. ERKINS and
8 BERNARDINE M. ERKINS

Case No. 03-10502-9P1
Chapter 11

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12 STAY ON SCHEDULED ASSETS RE: WATER RIGHTS
13

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15 Erkins and Bernardine M. Erkins, the debtors in the case herein, as it relates to a claimed interest in
16 any and all water rights, and/or water agreements related thereto, now existing and hereafter-
acquired, in the property more commonly known as **White Arrow Ranch**, the legal description of
which is set forth hereinbelow, to wit:

17
18 Gooding County

19 Township 4 South, Range 13 East of the Boise Meridian
Section 30: SE1/4NE1/4; E1/2SE1/4; SW1/4SE1/4

20 Section 31: N1/2NE1/4; SE1/4NE1/4,

21 Excepting parcel of land for Highway purposes as set forth in Deed to Bliss Highway District, dated
22 December 1, 1967, recorded December 6, 1967, as microfilmed instrument No. 23545, records of
Gooding County, Idaho.

23 On May 21, 2003, the above-referenced case was filed pursuant to Chapter 11 of the United
24 States Bankruptcy Code in the United States Bankruptcy Court for the Middle District of Florida.
25 The filing of the Chapter 11 bankruptcy case by Robert A. and Bernardine M. Erkins instantly
26 triggered the automatic stay of 11 U.S.C. §362(a). The §362(a) stay has been in full force and effect
since the date of filing of the bankruptcy on May 21, 2003. The bankruptcy proceedings in the
United States Bankruptcy Court for the Middle District of Florida remain pending.

1 A certified copy of the bankruptcy schedules of Robert A. Erkins and Bernardine M. Erkins
2 listing their interest in the water rights in the above-referenced real property is attached hereto as
3 Exhibit A and incorporated by reference herein.

4 The debtors are beneficiaries of the Meglon Domestic Non-Grantor Trust which is a creditor
5 in the Erkins' bankruptcy estate. The Trust will aggressively pursue any individual or entity for any
6 violation of the automatic stay as it relates to any attempt to sell, offer to sell, purchase, offer to
7 purchase, or otherwise negotiate the scheduled water rights and/or water agreements, which in any
8 way affects, whether it be adverse or otherwise, the Trust's claim and related standing in the debtors'
9 bankruptcy estate.

10 DATED this 10TH day of October, 2004.


11 PETROS G. ELIAPULOS

12 Trustee of the Meglon Domestic Non-Grantor Trust

(Official Form 1) (12/02)

FORM 31 MIDDLE United States Bankruptcy Court District of FLORIDA		Voluntary Petition
Name of Debtor (if individual, enter Last, First, Middle): ERKINS ROBERT ALTER		Name of Joint Debtor (Spouse) (Last, First, Middle): ERKINS BERNARDINE MORRIS
All Other Names used by the Debtor in the last 6 years (include married, maiden, and trade names):		All Other Names used by the Joint Debtor in the last 6 years (include married, maiden, and trade names):
Ego Sec/Tax I.D. No. (if more than one, state all): 520-30-0042		Soc. Sec./Tax ID No. (if more than one, state all): 148-16-3013
Street Address of Debtor (No. & Street, City, State & Zip Code): 4150 BELAIR LANE #109 NAPLES, FL 34103		Street Address of Joint Debtor (No. & Street, City, State & Zip Code): 4150 BELAIR LANE #109 NAPLES, FL 34103
County of Residence or of the Principal Place of Business: COLLIER		County of Residence or of the Principal Place of Business: COLLIER
Mailing Address of Debtor (if different from street address): N/A		Mailing Address of Joint Debtor (if different from street address): N/A
Location of Principal Assets of Business Debtor: (if different from street address above):		Walter D. Elmore Deputy Clerk
Information Regarding the Debtor (Check the Applicable Boxes) Year: (Check any applicable box) ☒ Debtor has been domiciled or has had a residence, principal place of business, or principal assets in this District for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other District. ☐ There is a bankruptcy case concerning debtor's affiliate, general partner, or partnership pending in this District.		
Type of Debtor (Check all boxes that apply) ☒ Individual(s) ☐ Corporation ☐ Partnership ☐ Other _____ ☐ Railroad ☐ Stockbroker ☐ Commodity Broker ☐ Clearing Bank		Chapter or Section of Bankruptcy Code Under Which the Petition is Filed (Check one box) ☐ Chapter 7 ☐ Chapter 9 ☐ Chapter 11 ☐ Chapter 12 ☐ Sec 304 - Case ancillary to foreign proceeding ☒ Chapter 13 ☐ Chapter 13
Nature of Debts (Check one box) ☒ Consumer/Non-Business ☐ Business Chapter 11 Small Business (Check all boxes that apply) ☐ Debtor is a small business as defined in 11 U.S.C. § 101 ☐ Debtor is and elects to be considered a small business under 11 U.S.C. § 1121(e) (Optional)		Filing Fee (Check one box) ☒ Full Filing Fee attached ☐ Filing Fee to be paid in installments (Applicable to individuals only) Must attach signed application for the court's consideration certifying that the debtor is unable to pay fee except in installments. Rule 1006(b) See Official Form No. 3.
Status/Estimate/Administrative Information (Estimate only) ☒ Debtor estimates that funds will be available for distribution to unsecured creditors. ☐ Debtor estimates that, after any exempt property is excluded and administrative expenses paid, there will be no funds available for distribution to unsecured creditors.		THIS SPACE IS FOR COURT USE ONLY 2003 MAY 21 PM 12:40 TAMPA, FLORIDA U.S. BANKRUPTCY COURT DISTRICT OF FLORIDA ORDER FOR RELIEF GRANTED MORE THAN \$100 million MORE THAN \$100 million
Estimated Number of Creditors 1-19 20-49 50-99 100-199 200-299 300 or over Estimated Assets \$0 to \$50,000 \$50,000 to \$100,000 \$100,000 to \$500,000 \$500,000 to \$1,000,000 \$1,000,000 or over		

EXHIBIT

A

03-10502-9P1

FORM B1, Page 2

(Official Form 1) (12/02)

Voluntary Petition <i>(This page must be completed and filed in every case)</i>		Name of Debtor(s)	
Prior Bankruptcy Case Filed Within Last 6 Years (If more than one, attach additional sheet)		Case Number	
Location Where Filed		Date Filed	
Pending Bankruptcy Case Filed by any Spouse, Partner or Affiliate of this Debtor (If more than one, attach additional sheet)		Case Number	
Name of Debtor		Date Filed	
District		Relationship	
Judge		Judge	

Signatures

Signature(s) of Debtor(s) (Individual/Joint) I declare under penalty of perjury that the information provided in this petition is true and correct. (If petitioner is an individual whose debts are primarily consumer debts and has chosen to file under chapter 7) I am aware that I may proceed under chapter 7, 11, 12 or 13 of title 11, United States Code, and may elect the relief available under each such chapter, and choose to proceed under chapter 7. I request relief in accordance with the chapter of title 11, United States Code, specified in this petition. X <u>[Signature]</u> Signature of Debtor X <u>[Signature]</u> Signature of Joint Debtor <u>239-434-2313</u> Telephone Number (If not represented by attorney) <u>7/12/04</u> Date Signature of Attorney X <u>[Signature]</u> Signature of Attorney for Debtor(s) <u>[Name]</u> Printed Name of Attorney for Debtor(s) <u>[Firm Name]</u> Firm Name <u>[Address]</u> Address <u>[Telephone Number]</u> Telephone Number <u>[Date]</u> Date Signature of Debtor (Corporation/Partnership) I declare under penalty of perjury that the information provided in this petition is true and correct, and that I have been authorized to file this petition on behalf of the debtor. The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition. X <u>[Signature]</u> Signature of Authorized Individual <u>[Name]</u> Printed Name of Authorized Individual <u>[Title]</u> Title of Authorized Individual <u>[Date]</u> Date	Exhibit A (To be completed if debtor is required to file periodic reports (e.g., forms 10K and 10Q) with the Securities and Exchange Commission pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934 and is requesting relief under chapter 11) ☐ Exhibit A is attached and made a part of this petition. Exhibit B (To be completed if debtor is an individual whose debts are primarily consumer debts.) I, the attorney for the petitioner named in the foregoing petition, declare that I have informed the petitioner that (he or she) may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, and have explained the relief available under each such chapter. X <u>[Signature]</u> Signature of Attorney for Debtor(s) <u>[Date]</u> Date Exhibit C Does the debtor own or have possession of any property that poses a threat of imminent and identifiable harm to public health or safety? ☐ Yes, and Exhibit C is attached and made a part of this petition. ☐ No. Signature of Non-Attorney Petition Preparer I certify that I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110, that I prepared this document for compensation, and that I have provided the debtor with a copy of this document. <u>[Name]</u> Printed Name of Bankruptcy Petition Preparer <u>[Social Security Number]</u> Social Security Number <u>[Address]</u> Address <u>[Names and Social Security numbers of all other individuals who prepared or assisted in preparing this document.]</u> If more than one person prepared this document, attach additional sheets conforming to the appropriate official form for each person. X <u>[Signature]</u> Signature of Bankruptcy Petition Preparer <u>[Date]</u> Date A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both 11 U.S.C. § 110, 18 U.S.C. § 156.
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FILED MAIL

In re Robert Alfer Erkins,
Bernardine M. Erkins

Case No. 03-10607-EP-21, 2004

Debtors

SCHEDULE A. REAL PROPERTY - AMENDED

CLERK U.S. BANKRUPTCY
COURT MIDDLE
DISTRICT OF FLORIDA

Except as directed below, list all real property in which the debtor has any legal, equitable, or future interest, including all property owned as a cotenant, community property, or in which the debtor has a life estate. Include any property in which the debtor holds rights and powers exercisable for the debtor's own benefit. If the debtor is married, state whether husband, wife, or both own the property by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community." If the debtor holds no interest in real property, write "None" under "Description and Location of Property." Do not include interests in executory contracts and unexpired leases on this schedule. List them in Schedule O - Executory Contracts and Unexpired Leases.

If an entity claims to have a lien or hold a secured interest in any property, state the amount of the secured claim. (See Schedule D.) If no entity claims to hold a secured interest in the property, write "None" in the column labeled "Amount of Secured Claim."

If the debtor is an individual or if a joint petition is filed, state the amount of any exemption claimed in the property only in Schedule C - Property Claimed as Exempt.

Description and Location of Property	Nature of Debtor's Interest in Property	Husband, Wife, Joint, or Community	Current Market Value of Debtor's Interest in Property, without Deducting any Secured Claim or Exemption	Amount of Secured Claim
Jerome County, Idaho property known as Devil's Corral and identified as: Township 9 South, Range 18, East of the Boise Meridian, Jerome County, Idaho. Section 32: Lots 1, 2 and 6; S 1/2 NE 1/4 Together with any and all water rights appurtenant thereto.	ownership of any and all water rights appurtenant to Devil's Corral	J	Unknown	0.00
Gooding County, Idaho property known as The White Arrow Ranch and identified as: Parcel No. 1: Township 4 South, Range 13, East of the Boise Meridian, Gooding County, Idaho Section 30: W 1/2 NW 1/4 SE 1/4 NE 1/4; S 1/2 SE 1/4 NE 1/4; W 1/2 NW 1/4 NE 1/4 SE 1/4; SW 1/4 NE 1/4 SE 1/4; NW 1/4 SE 1/4 SE 1/4; Together with any and all water rights appurtenant thereto. Parcel No. 2: Township 4 South, Range 13, East of the Boise Meridian, Gooding County, Idaho Section 30: NE 1/4 SE 1/4 NE 1/4; E 1/2 NE 1/4 SE 1/4; E 1/2 NW 1/4 SE 1/4 NE 1/4; S 1/2 SE 1/4 SE 1/4; E 1/2 NW 1/4 NE 1/4 SE 1/4; SW 1/4 SE 1/4; NE 1/4 SE 1/4 SE 1/4; Section 31: N 1/2 NE 1/4; SE 1/4 NE 1/4; Excepting a parcel of land for highway purposes as set forth in Deed to Bliss Highway District, dated December 1, 1967, recorded December 6, 1967 as microfilmed instrument Number 23845, Gooding County records. Together with any and all water rights appurtenant thereto.	ownership of any and all water rights appurtenant to The White Arrow Ranch	J	Unknown	0.00

Sub-Total > 0.00 (Total of this page)
Total > 0.00

United States Bankruptcy Court
Middle District of Florida

In re Robert Alter Erkins
Bernardine M. Erkins

Debtor(s)

Case No. 03-10502-9P1
Chapter 11

DECLARATION CONCERNING DEBTOR'S AMENDED SCHEDULE A

DECLARATION UNDER PENALTY OF PERJURY BY INDIVIDUAL DEBTOR

I declare under penalty of perjury that I have read the foregoing Schedule A, consisting of 1 sheet,
and that it is true and correct to the best of my knowledge, information, and belief.

Date

6-12-04

Signature

Robert Alter Erkins
Debtor

Date

6-12-04

Signature

Bernardine M. Erkins
Joint Debtor

Penalty for making a false statement or concealing property: Fine of up to \$500,000 or imprisonment for up to 5 years or both.
18 U.S.C. §§ 152 and 3571.